

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

DENNIS H. RANDA

PLAINTIFF

v.

No. 2:18-CV-02178

CYNTHIA SICKLER, et al.

DEFENDANTS

ORDER

On August 28, 2019, the Court entered an order directing the parties to clarify the motion (Doc. 39) for relief. Plaintiff has filed a response indicating that the parties intended their earlier stipulation (Doc. 37) to be a motion to dismiss, with the Court to retain jurisdiction to enforce the terms of the settlement agreement.

Pursuant to Federal Rule of Civil Procedure 60, the Court directs the Clerk to reopen this case and correct the docket to reflect that the stipulation (Doc. 37) was a motion to dismiss. Because the Court considers a prejudicial dismissal with retention of jurisdiction in this Court to enforce the terms of the settlement agreement sufficient to adequately address any lingering concerns with respect to full performance of the parties' settlement agreement, it is unnecessary to dismiss without prejudice and later convert the dismissal to a prejudicial one.

IT IS THEREFORE ORDERED that the motion (Doc. 37) is GRANTED and this case is DISMISSED WITH PREJUDICE. The Court retains jurisdiction to enforce the terms of the settlement agreement.

IT IS SO ORDERED this 3rd day of September, 2019.

/s/ P. K. Holmes, III

P.K. HOLMES, III
U.S. DISTRICT JUDGE